

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO.: 99-CR-337-001(HL)

JULIO CASANOVA-OTERO

MOTION FOR SOME DISPOSITION

**TO THE HONORABLE HECTOR M. LAFFITTE
SENIOR UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, LUZ ENID APONTE-ORTIZ, U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of the offender, Julio Casanova-Otero, who on February 27, 2001 was sentenced to an imprisonment term of sixty (60) months as to count one (1) and seventy (70) months as to count two (2), said terms to be served concurrently with each other, to be followed by two (2) years of supervised release. On July 31, 2006, the offender's supervised release was revoked for violation of his conditions and sentenced to an imprisonment term of twelve (12) months to be followed by twenty-two (22) months of supervised release. As special condition of his supervised released term he was ordered to participate in a substance abuse program and submit to a search conducted by the U.S. Probation Officer. On March 23, 2007, the offender was released and his supervised release term commenced for the second time.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:

STANDARD CONDITION NO. 7: THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE, OR ANY PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCE, EXCEPT AS

PRESCRIBED BY A PHYSICIAN.

On May 30, 2007, during an office contact, a drug test was conducted which resulted positive for cocaine, even though the offender denied any use of illegal substances. Upon questioning he admitted working for one day at the drug trafficking area processing the drug in order to earn some money for food. The offender's support system in the community is very poor as well as his assets. He was strongly reprimanded and informed of the consequences of his behavior. The offender is currently receiving outpatient treatment through the Clínica de Tratamiento Psicoterapéutico in Bayamón, Puerto Rico. This U.S. Probation Officer contacted current treatment provider and addressed offender's behavior and both reached the same conclusion, that the offender could benefit from a more intensive outpatient program better than from a prison term at this time. U.S. Probation Officer already increased the offender's treatment services.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. In view of the above-mentioned, it is respectfully requested that the court note the aforementioned violations and allow the U.S. Probation Officer to continue with the supervision plan developed. We also respectfully request the court to issue a written reprimand. If the offender incurs in any further violations, the Court will be duly notified. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 18th day June, 2007.

Respectfully submitted,
EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Luz E. Aponte
Luz E. Aponte
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day 18th of June 2007 I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Myriam Y. Fernandez-Gonzalez, Assistant U.S. Attorney and Joannie Plaza-Martínez, Assistant Federal Public Defender.

At San Juan, Puerto Rico, this 18th day of June 2007.

s/Luz E. Aponte
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LEA/